



103 PCT/PTO 17 JAN 2006

PATENT

*HS*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	MINORU MORIYA et al.		
Serial No.:	10/544,261	Case No.:	BY0006P
Filed:	August 3, 2005		
For:	MELANIN-CONCENTRATING HORMONE RECEPTOR ANTAGONISTS CONTAINING PIPERIDINE DERIVATIVES AS THE ACTIVE INGREDIENT		

Art Unit:

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Examiner:

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Mail Stop - Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In response to the Notification Of Missing Requirements, dated January 9, 2006, and for which a response is due on March 9, 2006, Applicants are submitting herewith a copy of the Notification and the executed Fee Transmittal form which authorizes a charge of \$130 to the deposit account 13-2755 of Merck & Co., Inc., for the surcharge as specified under 37 C.F.R. 1.16(e).

01/20/2006 STRAHL 00000000 132755 10544261  
01 50:15:27 149.00 DA

Respectfully submitted,

By Catherine D. Fitch  
Catherine D. Fitch, Reg. No. 36,502  
Attorney for Applicants

/agb  
Enclosures

January 13, 2006

Merck & Co., Inc.  
P.O. Box 2000  
Rahway, New Jersey 07065  
(732)594-4283

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By Catherine D. Fitch Date 1/13/2006  
MERCK & CO., INC.

Rec'd PPT/PTO 17 JAN 2006

Approved for use through 07/31/2006. OMB 0651-0032  
U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
SUBSTITUTE for USPTO SB/17(10-03)"FEE TRANSMITTAL for FY 2003"

# FEE TRANSMITTAL

Patent fees are subject to annual revision.

## Complete if Known

Application Number	10/544,261
Filing Date	August 3, 2005
First Named Inventor	Minoru Moriya et al.
Examiner Name	--
Group Art Unit	--
Attorney Docket Number	BY0006P

TOTAL AMOUNT OF PAYMENT \$130

## METHOD OF PAYMENT

☒ Deposit Account

Deposit Account Number

13-2755

Deposit Account Name

Merck & Co., Inc.

The Director is authorized to:

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	Utility filing fee	
1002	340	Design filing fee	
1004	770	Reissue filing fee	
1005	160	Provisional filing fee	

SUBTOTAL(1) \$0

### 2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims	20	0	0
Independent Claims	3	0	0
Multiple Dependent Claims		\$290	

\*\*or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Fee Description
1202	18	Claims in excess of 20
1201	86	Independent claims in excess of 3
1203	290	Multiple dependent claim, if not paid
1204	86	**Reissue independent claims over original patent
1205	18	**Reissue claims in excess of 20 and over original patent

SUBTOTAL(2) \$0

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	
1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1251	110	Extension for reply within first month	
1252	420	Extension for reply within second month	
1253	950	Extension for reply within third month	
1254	1,480	Extension for reply within fourth month	
1255	2,010	Extension for reply within fifth month	
1401	330	Notice of Appeal	
1402	330	Filing a brief in support of an appeal	
1403	290	Request for oral hearing	
1452	110	Petition to revive - unavoidable	
1453	1,330	Petition to revive - unintentional	
1501	1,330	Utility issue fee (or reissue)	
1502	480	Design issue fee	
1460	130	Petitions to the Commissioner	
1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	Submission of Information Disclosure Statement	
8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	Request for Continued Examination (RCE)	
Other fee (specify)		Late fee for submission of declaration	130
Other fee (specify)			

SUBTOTAL(3) \$130

## SUBMITTED BY

## Complete (if applicable)

Typed or Printed Name

CATHERINE D. FITCH

Signature

*Catherine D. Fitch*

Date

01/13/2006

Reg. Number 36,502  
Deposit Account User ID

IN DUPLICATE

Computer generated form "Miscellaneous Fee Sheet" (FEES Folder), Merck & Co., Inc. 10/1/2003

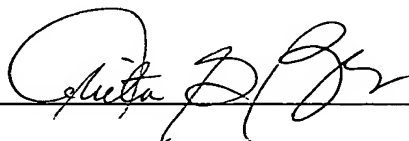
Application Number: 10/544,261  
Filing Date: 08/03/2005  
First Named Inventor: Minoru Moriya et al.  
Group Art Unit: --  
Examiner Name: --  
Attorney Docket Number: BY0006P

**FIRST CLASS MAIL CERTIFICATE**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

**MERCK & CO., INC.**

MAILED BY



DATE 01/13/2006

BY0006P



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/544,261	Minoru Moriya	BY0006P

INTERNATIONAL APPLICATION NO.	
PCT/JP04/01326	
I.A. FILING DATE	PRIORITY DATE
02/09/2004	02/10/2003

210  
MERCK AND CO., INC  
P O BOX 2000  
RAHWAY, NJ 07065-0907

JAN 11 2006

CONFIRMATION NO. 1503

## 371 FORMALITIES LETTER



\*OC000000017799937\*

Notice to file  
missing parts -  
Oath or Dec  
Dues  
3-9-06

Date Mailed: 01/09/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/03/2005
- English Translation of the IA filed on 08/03/2005
- Copy of the International Search Report filed on 08/03/2005
- Copy of IPE Report filed on 08/03/2005
- Preliminary Amendments filed on 08/03/2005
- Information Disclosure Statements filed on 11/02/2005
- U.S. Basic National Fees filed on 08/03/2005
- Priority Documents filed on 08/03/2005
- Specification filed on 08/03/2005
- Claims filed on 08/03/2005
- Abstracts filed on 08/03/2005

PATENT DEPARTMENT  
JAN 13 2006  
CATHERINE D. FITCH

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

11/12/06  
Folder Pulled

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/544,261	PCT/JP04/01326	BY0006P